



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 2  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION  
CITY VIEW PLAZA II BUILDING, 7<sup>TH</sup> FLOOR  
ROUTE 165 GUAYNABO, PUERTO RICO 00968

April 28, 2023

**VIA ELECTRONIC MAIL**

Mr. Carlos R. Román González  
President  
RL Partners, LLC  
Aguadilla Pier, Corp.  
The Cliff Corp.  
Grupo Caribe, LLC  
Emails: [cromancapital@gmail.com](mailto:cromancapital@gmail.com)

**Re: Notice of Potential Non-Compliance with Clean Water Act**

Dear Mr. Román González:

This letter concerns the U.S. Environmental Protection Agency's ("EPA" or "Agency") investigation of RL Partners, LLC, Aguadilla Pier, Corp., The Cliff Corp., and Grupo Caribe, LLC concerning their construction activities and construction support activities conducted and being conducted at Aguadilla Pier, Corp.'s property and The Cliff Corp.'s property in Aguadilla, Puerto Rico. This investigation is to determine compliance with Sections 301(a), 308, and 402 of the Clean Water Act (the "Act" or the "CWA"), 33 U.S.C. § 1311(a), 1318(a) and 1342, respectively; the Administrative Compliance Order, Docket Number CWA-02-2022-3108 ("ACO"), dated June 27, 2022, against The Cliff Corp. and Grupo Caribe, LLC, for violations of the CWA; and the 2022 National Pollutant Discharge Elimination System ("NPDES") Construction General Permit for Stormwater Discharges from Construction Activities ("2022 CGP" or "CGP"). The investigation consisted of NPDES Stormwater Inspections (the "Inspection") performed by the Agency at the Aguadilla Pier, Corp.'s property and The Cliff Corp.'s property on February 23, 2023, pursuant to Section 308(a) of the CWA, and EPA's review of certain records about past and current construction activities at both properties.

Enclosed please find a copy of the Inspection Report issued by EPA, dated April 21, 2023, which includes a description of the findings and observations EPA made during the Inspections.

**Opportunity to Confer**

The information currently available to EPA suggests that RL Partners, LLC, Aguadilla Pier, Corp., The Cliff Corp., and Grupo Caribe, LLC may be in violation of Sections 301(a), 308(a) and 402 of the CWA, and implementing regulations at 40 C.F.R. § 122. EPA is extending to you an opportunity to confer with and advise the Agency of any further information that EPA should consider with respect to identified potential violations.

EPA proposes to hold an in-person meeting at EPA's office in Guaynabo, Puerto Rico, on Wednesday, May 10, 2023, at 9:00 a.m. Please contact Mr. José A. Rivera, Team Leader, Clean Water Act Team, Multimedia Permits and Compliance Branch, email: [rivera.jose@epa.gov](mailto:rivera.jose@epa.gov), within three (3) business days of receipt of this letter by electronic mail ("email") to advise EPA of your availability.

### Request to Identify Confidential Business Information Claims

Please be informed that EPA may share the Inspection Reports, including the attachments, with the public pursuant to request made by government officials and/or through Freedom of Information Act ("FOIA"). Please specify whether confidential business information ("CBI") claim will be asserted on any of the identified records in the response to this letter.

To assert a CBI claim, mark the relevant information as: "**CLAIMED AS CBI**" or with a similar designation on each portion of the document claimed as CBI.<sup>1</sup> If you do not respond to this request or assert a CBI claim, EPA will regard the information as non-confidential, and may/will the Inspection Reports without further notice. Pursuant to Federal regulations codified at 40 C.F.R. § 2.204(c)(2)(ii), any such CBI claim must be sent by the **third** (3<sup>rd</sup>) working day following receipt of this letter to Mr. Rivera at [rivera.jose@epa.gov](mailto:rivera.jose@epa.gov). Please note that under 40 C.F.R. § 2.204(b), EPA may subsequently ask you to substantiate all CBI claims asserted.

You must also include as part of any information or documentation submission to EPA relating to the matters herein, the following certification signed and dated by a responsible corporate officer<sup>2</sup> of each entity:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this response to the Notice of Potential Violations and that, based on my inquiry of those individuals immediately responsible for obtaining or compiling the information, I believe that the submitted information is true, accurate, and complete. I recognize that there are significant penalties for submitting false and/or misleading information, including the possibility of fine and/or imprisonment.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

This letter is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

This letter does not relieve RL Partners, LLC, Aguadilla Pier, Corp., The Cliff Corp., and Grupo Caribe, LLC from the obligation to comply with the CWA, and its implementing regulations and/or the 2022 CGP. This letter shall not be deemed an election by EPA to forego any administrative or judicial action for penalties, fines, or other appropriate relief under Section 309 of the CWA, 33 U.S.C. § 1319, arising from

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<sup>1</sup> See 40 C.F.R. § 2.203(b).

<sup>2</sup> See 40 C.F.R. § 122.22.

EPA's assessment of RL Partners, LLC, Aguadilla Pier, Corp., The Cliff Corp., and Grupo Caribe, LLC compliance with the CWA.

If you have any questions concerning the above, please contact Mr. José A. Rivera, Team Leader, Clean Water Act Team, at (787) 977-5842, or by email at [rivera.jose@epa.gov](mailto:rivera.jose@epa.gov). Please direct any legal questions on this matter to Ms. Suzette Meléndez-Colón, Assistant Regional Counsel, Office of Regional Counsel, Caribbean Team, at (787) 977-5822, or by email at [melendez-colon@epa.gov@epa.gov](mailto:melendez-colon@epa.gov@epa.gov).

EPA urges your prompt attention to this matter.

Sincerely,

Nancy Rodríguez, Chief  
Multimedia Permits and Compliance Branch

cc: Juan M. Lopez (via email with enclosures at [jlovic@yahoo.com](mailto:jlovic@yahoo.com))  
Víctor Nieves (via email with enclosures at [vnieves.rlparkers@gmail.com](mailto:vnieves.rlparkers@gmail.com))  
Ángel R. Meléndez (via email with enclosures at [angel.melendez@drna.pr.gov](mailto:angel.melendez@drna.pr.gov))  
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